United States Police Reform

“Injustice anywhere is a threat to justice everywhere “
- Martin Luther King Jr.

“I am not against the police, I am just afraid of them”
- Alfred Hitchcock

“We can no longer go to separate corners and place upon the public a false choice of either “black lives matter” or “blue lives matter.” Instead, communities, law enforcement officials, lawmakers, and community leaders alike must admit our country’s tainted past.”
- Danyelle Solomon is the Director of Progress 2050 at the Center for American Progress.

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Introduction

Until Donald Trump stole the headlines, the number one story of 2016 was police brutality – particularly directed towards unarmed African-American males. The consequences were tragic for more than the just victims. Since then we have all been witnesses to blowback in the form of premeditated attacks against police and a precipitous decline in both the trust and legitimacy in our nation’s law enforcement. Michael Brown, Alton Sterling, and Eric Garner are just a few of the names of unarmed African-Americans whose deaths at the hands of the police captured the majority of the news cycle during 2016. While this topic is certain to contain debates about the relationship between police and minorities, the issues involving our nation’s police forces go significantly deeper. Without a doubt, we are asking our police departments to do significantly more with much less. The terrorist model has shifted from a focus on large scale attacks to hitting ‘soft targets,’ thus putting the police on the front lines of the militaries’ war on terror. Our nation’s gun laws oftentimes mean that the police are being ‘outgunned’ by the criminals. These two facts have made our police forces adopt a style that resembles our military in look and in weaponry. Donald Trump wants to solve these and other issues facing police with more “law and order,” even encouraging bringing back police practices like racial profiling and stop and frisk. On January 24th he tweeted that he was so fed up with the violence in Chicago that he may ‘send in the feds.’ Early signals from our new attorney general, Jeff Sessions, are that the Trump administration is prepared to weaken legal deals struck by the justice department under Barack Obama which force local police to enact police that prevents excessive force and/or racial bias. Police reform is clearly a necessary topic for debate; President Obama got the ball rolling by creating the 21st Century Policing Task Force, but it is clear that the work remains unfinished as a new administration takes charge. It also remains clear that without substantial change, the problems that plague policing in America will only continue.

The Importance of the Topic Moving Forward:

Police practices and police reform have been touched on three times as the focus of the national debate topic. The most recent was in the 2005-2006 season, but the topic was limited strictly to the federal government’s police powers to detain without charge or search with probable cause. The 1996-1997 season saw police practices as a side aspect of the topic which asked affirmative teams to establish a program to substantially reduce juvenile crime. You have to go all the way back to the 1967-1968 season to have a broad police practices topic: “Resolved: That Congress should establish uniform regulations to control criminal investigation procedures.” The parallels between 1968 and today are striking. So much that The Atlantic wondered if America was repeating the mistakes of 1968. In 1967, the US Congress authorized “The Kerner Report” to address growing violence by the police. The report could be read as if it was authorized in 2017 instead of fifty years earlier, “This is our basic conclusion: Our Nation is moving toward two societies, one black, one white—separate and unequal.” Under political pressure, however, President Johnson never acted on the Kerner Report and major federal reform/influence to US policing has been limited since.

There are two significant aspects to the topic of police reform in America. One is race, which this topic will allow for an in-depth discussion of. The second is the militarization of America’s police. Relations between police and minority communities is at an all-time low. High profile killings, controversial policies such as ‘broken window policing,’ profiling, and ‘stop and frisk’ seem directed specifically towards at-risk minority communities. The other major issue facing police right now is the issue of militarization. In 2014, FBI Director James Comey addressed International Police Chiefs Convention, telling them that “Monsters are real,” and you never know when or where they’ll strike. Police departments are now being provided ‘mine resistant ambush protected armored vehicles’ from the DOD and funding from the federal government to purchase military grade equipment.

These two issues will at times converge (as they did in Ferguson Missouri) and at other times diverge allowing the affirmative team a substantial amount of ground for their affirmative cases.
**Reasons for Consideration:**

Best police practices are fertile ground for debate that the policy community has had little access to. This debate topic would also involve deep discussions about how federal and local policies interact. A topic revolving around police reform would also be appealing to every circuit. Kritical teams would have legitimate reason to address racial inequalities and examples of institutional/structural racism from authorities. Traditional circuits would find fertile ground about issues relating to solvency and implementation. The affirmative and negative impacts can be extensively developed or kept simple depending upon the region of the country that you are in.

Every issue selected for debate is bound to be difficult and controversial for a segment of our community. This topic provides a meaningful platform to address everyday issues that need to be addressed. The Nov-Dec topic in Lincoln-Douglas on ‘qualified immunity’ for police officers shows that our community is able to handle such a significant topic. Furthermore, the options for reform vary so much that the topic is better addressed in the policy rather than theoretical realm.

**Role of the Federal Government:**

Our nation’s 18,000 police forces are controlled by our state and local governments (meaning that the state’s counterplan and arguments against federal involvement will be very accessible for the negative team). There is both precedent for federal involvement and a number of methods that the affirmative team would have to implement their plan. The Congressional Research Service released an authoritative that should assuage any doubt of the debatability of a federal resolution about local police forces. The report entitled Federal Power over local law enforcement reform: legal issues, tells us that the Federal Government has three legal methods to control or influence reform on a local level. The article breaks Federal involvement into three major areas of leverage: Congress’s ability to condition, federal enforcement of the commerce clause power, and its power to enforce constitutional rights. The easiest to understand method involves the conditioning action to existing or future federal funds. Local forces are oftentimes extremely short of funding, which allows the affirmative team to offer block grants, funding credits, or equipment in exchange for accepting federal rules/guidelines. An example of how the federal government utilizes these policy levers is the Pentagon’s 1033 program and the Homeland Security Grant Program.

If the Federal Government can show that there has been a widespread history of constitutional violations (something that is relatively easy on this topic) Congress can pass prophylactic legislation or have a judicial ruling under the prophylactic rule for our court system. “Put another way, “Congress may enact so-called prophylactic legislation that proscribes facially unconstitutional conduct, in order to prevent and deter unconstitutional conduct.” The CRS report also reveals that the Federal Government can make a law enforcement act illegal under the Commerce Clause, Several congressional proposals would address police misconduct by imposing civil or criminal liability on individuals who engage in the prohibited conduct. Without a tether to federal funds, such legislation might be supported by Congress’s power under Section 5 of the Fourteenth Amendment. The Fourteenth Amendment bars states and local governments from “depriv[ing] any person of life, liberty, or property, without due process of law or deny[ing] to any person … the equal protection of the laws” and grants Congress the “power to enforce, by appropriate legislation” those provisions.

For those for whom the most serious concern about this topic is the federal aspect of it I strongly encourage you to read the detailed analysis given in CRS report above. The report concludes with examples of how the federal government could utilize the above powers in order to result in change. The examples given are a ban on police chokeholds, enforcing criminal laws to raise revenue schemes (Ferguson), and barring racial profiling.

Outside of the CRS report, Detroit provides a real example to test whether federal involvement in our local forces is necessary and/or desirable. “In 2003, the city entered into two consent decrees with the Justice Department after police were accused of unconstitutional conduct, including excessive use of force and illegal detentions. The consent decrees came after a Detroit Free Press investigation uncovered excessive use of deadly force, illegal dragnet arrests of possible witnesses to crimes and improper treatment of prisoners.” This agreement made Detroit into a “constitutional police force.” In March of 2016, U.S. District Judge Avern Cohn overturned the transitional agreement, declaring that Detroit had successfully fulfilled all of the necessary requirements for turning around their system.

Forcing federal structural reform has legal precedence “Congress passed 42 U.S.C. § 14141 in an effort to combat police misconduct and incentivize proactive reform in local law enforcement agencies. The statute gives the Attorney General the
power to initiate structural reform litigation against local police departments engaged in a pattern or practice of unconstitutional behavior. After the death of Freddie Grey, Baltimore entered into a “consent agreement” with the federal government to monitor and force structural reforms to its police force. The Department of Justice currently has 20 of these consent agreements with US cities, but “it’s not clear how the consent decree would be affected by the incoming Trump administration’s opposition to imposing federal oversight on local police departments. During his confirmation hearing Attorney General Jeff Sessions said he didn’t think it was fair that entire police departments get sued by the Justice Department for the actions of a few bad officers. “These lawsuits undermine the respect for police officers and create an impression that the entire department is not doing their work consistent with fidelity to law and fairness, and we need to be careful before we do that,” Sessions said.

Affirmative Case Ground:

The problems outlined here can be found in both rural and urban centers in America. Ferguson Missouri, arguably the epicenter for the Black Lives Matters Movement is a town of only 21,000 citizens. There are two large umbrellas that occasionally overlap regarding major/necessary police reforms in America. For those who may want to narrow the scope of a topic, we will separate this paper into those two areas: race and militarization.

Race Issues:

Despite the occasional voice that just blames the media for overhyping police shootings of unarmed black men in America, there are very real race issues happening. The American Journal of Public Health reveals that “black men are nearly three times as likely to be killed by legal intervention than white men.” The numbers are also higher for both Hispanics and other minorities such as Native Americans. CNN reporting on the study tells us that


'The psychological science on this is very clear' The new study findings are a useful contribution to a growing body of research on racial disparities in lethal use of force by police, said Jack Glaser, a professor of public policy at the University of California, Berkeley, and author of the book "Suspect Race: Causes and Consequences of Racial Profiling." "It is very difficult, if at all possible, to generate an explanation for this pattern of results that does not include an influence of racial bias," said Glaser, who was not involved in the new study. "The psychological science on this is very clear. People, including police officers, hold strong implicit associations between blacks, and probably Hispanics, and weapons, crime and aggression," he said, adding that this association is "supported by scores of studies." For instance, scientific evidence that people are more likely to shoot at a black target than at a white target was reviewed in a 2015 meta-analysis study, which was published in the Journal of Experimental Social Psychology. In that study, researchers from the University of Illinois at Urbana-Champaign analyzed 42 studies and found that, compared to white targets, people are quicker to shoot armed black targets, slower to not shoot unarmed black targets, and more likely to have a liberal shooting threshold for black targets overall. "Because these associations reside outside of conscious awareness and control, even well-meaning, consciously egalitarian officers are vulnerable to use more force on minority civilians," Glaser said. "Police officers are only human, and in use-of-force situations they experience the kinds of normal emotions -- fear, anger, anxiety -- that set the stage for more spontaneous mental processes to be influential."

But sometimes these “implicit associations” are a result of their training and the culture developed in their police training. For instance, “Three rookie Miami police officers fired two days before Christmas joked in a group chat with other cops about using predominately black neighborhoods for target practice.” And the North Miami Beach Police were found out to be using mug shots of African Americans for target practice at their shooting range. The Center for American Progress points out that this may just be a fact of life,

Neither does Michael Harriot, who frankly described in a post for The Root the facts of life: Blood is red. The sky is up. Police are racist.” Harriot presented a long list of more contemporary racist police abuses that led him to conclude unequivocally that police uniformly treat black people disproportionately more harshly than white people. “The government, media and even police departments know it,” Harriot wrote. “Every time any agency or organization conducts a study or survey that intersects race and law enforcement, the result is always the same: The police are racist.”

Possible cases to deal with Race Issues:

**Ending controversial/racist police practices**

**Broken Windows Policing**

The concept of “broken window” policing was created in 1982; it argues that if you focus on small examples of disorder (such as windows being broken in a neighborhood) you will prevent larger forms of crime from moving in. The concept rests upon the somewhat slippery slope that local disorder leads to fear and withdrawal from the community, which creates a void that criminal elements fill. The Economist gives a clear rational from the authors of the idea,


The term “broken windows” refers to an observation made in the early 1980s by Mr Kelling, a criminologist, and James Wilson, a social scientist, that when a building window is broken and left unrepaired, the rest of the windows will soon be broken too. An unrepaired broken window is a signal that no one cares, they argued, and so breaking more windows costs nothing. More profoundly, they found that in environments where disorderly behaviour goes unchecked—where prostitutes visibly ply their trade or beggars accost passers-by—more serious street crime flourishes. This theory is supported by a number of randomised experiments. Researchers at the University of Groningen in the Netherlands, for example, found that people were twice as likely to steal an envelope filled with money if it was sticking out of a mailbox covered in graffiti. What this means for law enforcement, Messrs Kelling and Wilson prescribed, is that when police officers keep streets orderly, and punish even small signs of misbehaviour with a warning or an arrest, people will behave in a more orderly way.

Eric Garner, an unarmed African-American, was shot by police that were acting on the practices instilled through Broken Windows policing. His presumed crime was selling ‘loosies’ or untaxed cigarettes. Garner’s death inspired the protests that utilized the motto, “I can’t breathe” after the video was released of a police officer utilizing a chokehold on him that would cause his death. Critics of this particular police practice will argue that because police are significantly more likely to stop minorities, broken window policing leads to more distrust as well as tragic results such as the one that befell Mr. Garner. Frontline explains, “in cities where Broken Windows has taken root, there’s little evidence that it’s worked as intended. The theory has instead resulted in what critics say is aggressive over-policing of minority communities, which often creates more problems than it solves. Such practices can strain criminal justice systems, burden impoverished people with fines for minor offenses, and fracture the relationship between police and minorities.”

**Racial Profiling**

Racial profiling was first born out of the war on drugs, which presumes that more drug dealers and users are of minority status. Affirmatives can argue that this practice not only doesn’t work, but harms police departments nearly as much as their victims through the erosion of trust and tradeoff with their limited resources. Despite what the affirmative teams will argue are obvious harms, there is no national policy regarding this issue. The Huffington Post writes that,

State-level policies vary widely. In fact, a recent September 2014 report from the NAACP titled “Born Suspect” found 20 out of the 50 states do not have laws that prohibit racial profiling by law enforcement. Only 17 states require data collection on all police stops and searches, and only 15 require analysis and publication of other racial profiling data. Remedies for racial profiling incidents also vary from state to state. Back in 2003, the U.S. Department of Justice adopted a policy titled “Guidance Regarding the Use of Race by Federal Law Enforcement Agencies,” which was an important first step in training law enforcement agencies to eliminate illegitimate uses of race in policing. That policy, however, had significant limitations and had not been updated despite advocacy by civil rights groups. In 2012, more than 200 civil rights groups asked Attorney General Eric Holder to update the policy so, among other things, prohibit profiling on the basis of national origin, religion, gender and sexual identity. They also called for elimination of loopholes for national security and border enforcement, the creation of enforceable standards, and for it to apply to all state and local law enforcement agencies that receive federal funds or work with federal agencies. Just recently, the attorney general finally did propose new guidelines on racial profiling that bans the practice by federal law enforcement agencies. This is a good first step, but the updated policy should have included the research-based proposals made by civil rights advocates.

State and local law enforcement agencies should have also been covered in the proposal because Americans encounter local police in far greater numbers than any federal law enforcement officers. While racial profiling can end in tragic police killings of unarmed individuals, such as with Eric Garner or Michael Brown, profiling more often results in unnecessary stops and searches, harassment and intimidation, and even confiscation of cash or vehicles without due process. Racial profiling creates a self-fulfilling cycle that results in African Americans being further unfairly targeted and jailed, “The racial profiling of Black Americans is a self-perpetuating cycle. When Black Americans are arrested and jailed at grossly outsized rates, they are stereotyped as criminals. That stereotype later undergirds and justifies the profiling of Black individuals and communities, driving the rates of police encounters and arrests even higher.” And trust is essential to law enforcement (meaning that it will be an essential affirmative advantage that nearly every case can attempt to access).


Research shows that perceived legitimacy of law enforcement is crucial to effective law enforcement. One study of 830 New York City residents who were predominantly either white, Hispanic or African-American examined whether perceived legitimacy of police, which included measures of trust, obligation and confidence in police produced increased cooperation with police in law enforcement efforts (e.g., reporting a crime, assisting law enforcement officers) over time. The results show that trust was significantly related to not only cooperation with the police but also — to a lesser extent — cooperation with others in the community. These findings have been replicated in other samples. In a study of 300 Muslim-Americans, it was found that perceived legitimacy was associated with willingness to cooperate with police on terrorism investigations. Further work suggests that it is trust that drives this effect.

**Combating implicit racism**

Education and a new focus on training could help reduce the implicit bias that challenge police officers while they are fulfilling their mission. Professor Jack Glaser argues that implicit racism is an explanation for the disproportionately high number of African-Americans shot by police officers,


Sadly, fatal police shootings of civilians are fairly commonplace, occurring about once a day in the US. A disproportionate amount of the time, these victims are Black. Of the ten documented fatal shootings of off-duty police officers by on-duty police officers in the last thirty years, nine were Black or Latino, when only about a quarter of American police officers are minorities of any sort. This is a compelling statistic. The same implicit stereotypes that cause officers to see guns faster after seeing a Black face than a White face, or to shoot unarmed Blacks more often than unarmed Whites in "Shooter Task" simulations, almost certainly play a role in the high rate of lethal force used on Black men in America.

Former police officer Tracie Keesee says that implicit bias can be addressed through increased awareness, training, and practical police solutions. For instance, she points out the Las Vegas police department for an example of how simple tweaks
to policies can make a large difference, “The Las Vegas Metropolitan Police Department evaluated their use-of-force data and identified a specific interaction that was resulting in excessive force: foot pursuits, especially with young men of color. They made a simple policy tweak that proved to be enormously effective: if you are the pursuing officer, you are not the same officer that puts the handcuffs on the suspect. This training policy adjustment disrupted the strong emotions that often felt by both the officer and individual being arrested, who might be entangled by feelings of fear or anger that can lead to unnecessary violence. In creating this approach, Las Vegas Metropolitan PD reduced their use of force incidents following a foot pursuit by 23 percent. This kind of policy evaluation not only reduced use of force but proved to be a safer approach to apprehending the suspect.”

**Excessive use of force**

The Robert F. Kennedy Human Rights Global Justice Clinic, New York University School of Law argues that the US doesn’t have an adequate standard for the use of force. They explain how problematic this is when they state that,

*Justin Hansford of the University of Virginia school of law in 2016* (Inter-American Commission on Human Rights Written Submission in Support of the Thematic Hearing on Excessive Use of Force by the Police against Black Americans in the United States Original Submission: October 23, 2015 Updated: February 12, 2016 156th Ordinary Period of Sessions Written Submission Prepared by Robert F. Kennedy Human Rights Global Justice Clinic, New York University School of Law International Human Rights Law Clinic, University of Virginia School of Law Justin Hansford, St. Louis University School of Law)

The European Court of Human Rights, this Commission has warned of the dangers presented by the lack of a clear standard, noting that law enforcement officers should not be left in a vacuum when performing their duties, whether in the context of a prepared operation or a spontaneous chase of a person perceived to be dangerous. Instead a legal and administrative framework should define the limited circumstances in which officials may use force and firearms, in the light of the international standards which have been developed in this respect. The failure of the United States to establish a clear standard has placed law enforcement officers, in the performance of their duties, in the very vacuum of which the European Court of Human Rights and this Commission have warned.

Better training, often involving de-escalation is an idea that is being tried out in a few police forces around the country,

*Hansford in 2016*

There is no comprehensive data available on the numbers of police departments in the United States that conduct de-escalation training for officers or otherwise require exhaustion of non-violent or less-than-lethal force. Studies of individual departments, however, have revealed inadequate attention to de-escalation, and a corresponding failure by officers to use non-violent alternatives to force. The Department of Justice Report on Ferguson, Missouri found that officers had not been trained to use desalation techniques. The NYPD Report, discussed above, found not only that NYPD officers rarely use de-escalation tactics, but also that they have in fact escalated situations. The NYPD Report recommends that the NYPD Patrol Guide require “officers to de-escalate all encounters where appropriate.” In the aftermath of the killing of Michael Brown by a police officer in Ferguson, Missouri, many Missouri cities have reportedly been reexamining their use of force policies. These reforms represent important steps toward bringing police training practices in line with international human rights law.

*In 2015, the Kansas City Police Department (KCPD) and the St. Louis Police Department (SLPD) have been instituting a policy called “tactical disengagement” or “tactical retreat.” The new policy aims to change the way police approach citizen interactions: “Instead of responding to a threatening suspect, officers are being trained to create a protective distance up to 30 feet, communicate with the suspect and think about the proper way to proceed; for instance, calling for backup.” The police chief of the KCPD posted on his blog: “Throughout the history of law enforcement, we’ve had the idea of ‘never back down, never retreat.’ According to the chief, the purpose of the training changes is to allow officers to overcome the fear of being considered a “coward,” by requiring them to retreat.*

The need for reform in police training is evident,

*Solomon in 2016*
According to the Bureau of Justice Statistics, an average of 168 hours of training was required for officers between 2011 and 2013 on the topics of firearms, defensive tactics, and use of force in state and local law enforcement training academies. On average, 71 hours were dedicated to firearms training and 60 hours focused on self-defense. However, an average of only 21 hours was spent on the use of force—and that 21 hours included any and all de-escalation training. Clearly, this is not a balanced approach to officer training.

Stop and Frisk

Stop and Frisk policies are pretty self-explanatory. They allow police officers to immediately stop and frisk any individual that they deem to be ‘suspicious.’ It nearly goes without saying that the vast majority of those that are stopped by police utilizing this police are minorities. The New York Daily News made the shocking claim that more black men were stopped and frisked in New York City during 2012 than actually live in the city. Furthermore, Blacks and Latino’s represent only 14% of the NYC’s six police precincts’ but represented 70% of the stop and frisks that occurred. Donald Trump made media waves when he championed NYC’s unconstitutional law of stop and frisk as a solution to the challenges facing cities. The policy was extremely controversial and eventually determined to be unconstitutional by a district court. Despite the ruling there are reports that NYC police officers still operate under a stop and frisk mindset. The court’s ruling only applied to the law implemented by New York City, meaning that other cities are able to continue this policy.

Hansford in 2016

Although stop and frisk has been curbed in New York City, the practice persists in other cities throughout the country. In the summer of 2014 in Chicago, the country’s third largest city, there were over 250,000 stops that did not lead to an arrest. Black Chicagoans were subjects of 72 percent of those stops, although they constitute just 32 percent of the city population. This disproportionate rate held true even in majority white districts. In Miami Gardens, a mid-sized city near Miami with slightly more than 110,000 residents, 80 percent of whom are Black, police conducted nearly 100,000 stops from 2008 to 2013. Police officers in Miami Gardens have reported through affidavits that the former police commander of operations instructed them to stop every black man they saw. Even without the added layer of discrimination, the practice of stop and frisk in and of itself creates opportunities for conflict with law enforcement officers, particularly if the stop leads to an arrest. Of the reported arrest-related deaths between 2003 and 2009, Black and Latino individuals constituted a combined 53% of those killed, out of proportion with their percentage of the national population (approximately 38%).

Exposing police practices

Body Cameras

Body cameras have received a massive amount of attention over the past two years. The ACLU reported in 2015 that, “Recent surveys suggest that about 25% of the nation’s 17,000 police agencies were using them, with fully 80% of agencies evaluating the technology.” Although they do not reduce all instances of police behaving badly; the cameras do show a significant impact on reducing police brutality. The Guardian reports that, “Police equipped with body-worn cameras receive 93% fewer complaints from the public, according to a new study that suggests the technology helps to cool down potentially volatile encounters. Academics at Cambridge University, whose research looked at nearly 1.5m beat hours across more than 4,000 shifts by officers in the UK and California, claim their findings suggest the cameras herald a “profound sea change in modern policing.” But the cost of the cameras have many precincts searching for answers for how to implement the program. Even if they are able to navigate through the extremely high start up costs, the data collection requirements have many police departments stretched beyond their means. Indiana for instance, requires police that utilize body camera to store the data for a minimum of 190 days. And because they have to have their body camera on at all times (for them to maximize effectiveness), this means that small police forces are having to pay more than $100,000 a year just for private data storage.

Zero Tolerance policies
It is all too common for information to come out that (with the benefit of hindsight) paint the accused officer/department in an extremely negative light. In 2015, 17 year old Laquan McDonald, an unarmed African-American in Chicago was shot by Jason Van Dyke, a white police officer, 16 times in the back. The shooting sparked mass demonstrations after the footage from the dash-cam was released. As the media got ahold of the story, it became clear that officer Van Dyke did not have a rosy relationship with the community that he had taken an oath to serve and protect. CNN revealed that Van Dyke had been involved in at least 20 separate incidents that range from utilizing excessive force to shouting a racial slur at a perpetrator. Each time, Van Dyke was cleared of any wrongdoing. In fact, he was promoted multiple times over his 16-year career despite these incidents. According to the Citizen’s Police Data Project, a database of misconduct reports against Chicago Police, there are 402 officers that have at least 20 misconduct reports on file and one that tops out at 68. Officers are truly the only ones that can understand the stress that the job takes upon their mental health. Partly because of this there is a deep seeded desire to protect their brothers in arms. Police Unions are just one of the barriers of firing officers that have overstepped their boundaries, there are many affirmatives that could seek to implement strong firing mechanisms/requirements to clean up the police force ranks. Today Officer Van Dyke remains on administrative leave while seven other officers have been fired for attempting to cover up what the courts have described as a ‘police execution,’ and he has been hired by the police union to serve as a custodian while his employment status is determined.

Ending qualified immunity

The centerpiece of an LD topic in 2016, qualified immunity protects police officers from being sued for actions taken while they are the on-the-job. The Seton Hall Law Review argues that reform to the practice of qualified immunity could “create accountability and curb widespread police misconduct.” A large amount of the mistrust against police officers comes from the belief that police officers guilty of misconduct get off scot free. Multiple studies prove that the threat of a lawsuit does affect the police officers on-the-job actions. “Allowing more civil suits to go forward will serve as an important reminder to both civilians and law enforcement that the police are not above the law, and that they are held accountable for their wrongdoings. In turn, this accountability will begin to heal the relationship between law enforcement and communities by serving as the first step on what will surely be a long path to rebuilding the trust that is so crucial.” Even before the massive increase in media coverage of police shooting, trust was low. The Seton Hall Law Review points out that, “an August 2014 poll conducted by USA Today and the Pew Research Center found that 65% of Americans believe that police departments nationwide do a poor or fair job of holding police officers accountable when misconduct occurs, compared with 30% who say they do an excellent or good job.”

Profit Motive Policing

The DOJ report on the police practices in Ferguson found officers operating on a “profit motive.” Issuing large amounts of tickets to minorities in order to raise funds for their police department. Besides being clearly racist, this profit motive was driven by a screwed up state funding mechanism for its police forces. Kaitlyn D’Onofrio, associate editor for Diversity Inc. reveals that, “Charlack, Missouri, a small town of about 1,300 people, has had to dissolve its police department because it can no longer afford to maintain it without the money it made from the exaggerated amount of fines and tickets. Instead, Charlack will be policed by a neighboring town.” The DOJ discussed the harms of this ‘profit motive policing as, 

D’Onofrio in 2015

Ferguson’s strategy of revenue generation through policing has fostered practices in the two central parts of Ferguson’s law enforcement system — policing and the courts — that are themselves unconstitutional or that contribute to constitutional violations. In both parts of the system, these practices disproportionately harm African Americans. Further, the evidence indicates that this harm to African Americans stems, at least in part, from racial bias, including racial stereotyping. Ultimately, unlawful and harmful practices in policing and in the municipal court system erode police legitimacy and community trust, making policing in Ferguson less fair, less effective at promoting public safety, and less safe.

Oversight

Community policing
Community policing is the practice of involving police officers into specific communities. By decreasing the amount of space that the officers protect, they presumably get to know the community better and the community gets to know them. Chicago is at the front and center of a large literature base involving the practice of community policing. Chicago’s mayor Rahm Emanuel stated that Chicago is where the whole idea of community policing began. It remains the best and most comprehensive approach we have in changing the everyday conditions that breed crime and violence and then breed mistrust. The Chicago program (CAPS), however, has been “hallowed out by years of budget cuts and restructuring.”

Many police departments that utilize the techniques involved in Community Policing include social workers. Thereby working to treat more than just one of the symptoms of crime. “The Community Oriented Policing Services (COPS) Office, a component of the U.S. Department of Justice; established in 1995, the office is responsible for advancing community policing nationwide, it states on its website at cops.usdoj.gov. Since its creation, it has invested more than $14 billion to advance community policing.”

Community policing could also result in terrorism advantages as well,


Like traditional crime, terrorism is a local issue and is a responsibility shared among federal, state, and local governments. In the wake of September 11, local law enforcement has taken on a pivotal role in preventing and responding to future incidents of terrorism within the United States. The new policing model for terrorism and homeland security must address the areas of crime prevention, intelligence gathering, and information sharing. This will require a shift in the culture of law enforcement agencies, involving the creation of external partnerships, citizen involvement, problem solving, and the transformation of the organization. Adoption of the “homeland-policing” model presented in this article suggests that the community policing model serves as a solid framework for the development of an effective prevention strategy for homeland security by local law enforcement agencies.

**Civilian Review Boards**

Civilian Review Boards were originally created in the 1940s in response to police brutality and the lack of accountability for the officer’s misconduct. According to the Seton Hall Law Review out of the 50 largest police departments in the United States only six of them have civilian review boards to oversee the police in their community. A police board allows for local citizens to review the evidence and press forward with recommendations and investigations against malfeasance by officers. When they work they bridge the gap between police and their communities and therefore serve as one of the easiest ways to access advantages involving trust and legitimacy. “Civilian review boards are essential to building trust with the local community. A board that has independent investigative authority, the ability to provide recommendations, and a balance of appointed officials and community leaders will help ensure that the community feels engaged in the decision-making process that holds law enforcement accountable.”

**Militarization:**

The second major issue in need of debate is the militarization of the police. Craig Atkinson’s documentary film is an excellent resource for this subject. “Do Not Resist” traces the transformation of police departments across the United States into forces that often look like our Army and Marines—and all too often act like them. The process started in 1997 with the signing of order 1033. As part of the program, the US military lists supplies that it deems as ‘surplus.’ These materials are then available for purchase by local police forces. “According to Peter Kraska, an expert in police militarization at Eastern Kentucky University, more than 80 percent of towns with fewer than 50,000 residents now have a SWAT team.” Since 9/11 over 5 billion dollars’ worth of material has been ‘donated.’ Furthermore, the Department of Homeland Security has given out an additional 34 billion in grants for local forces to purchase supplies. The New Yorker humorously points out that this 39 billion worth of military equipment is the same as the entire defense budget of Germany. All around the country police are beefing up their weaponry to deal with real and perceived threats. President Obama signed an executive order to ban military grade weaponry to local police forces; “including tracked armored vehicles, weaponized aircraft and high-caliber weapons — from the U.S. government, but NPR tells us that this ban will have little actual effect,
However, an NPR analysis found that the White House ban may have little impact on the ground. **The Pentagon is the largest government source of military-style equipment to police**, distributing or selling it to departments across the country. The federal government does not have a centralized means of tracking exactly how many weapons it gives or sells to police through multiple programs, according to administration officials. But one of the largest such programs does keep detailed records. **That Defense Department program, known as "1033" gives police forces equipment the Pentagon no longer has use for.** We looked at the equipment distributed to local police agencies from January 2006 to March 2015, using data released by the Defense Logistics Agency. **An analysis of that data showed the vast majority of the military-style equipment distributed by 1033 would still be available to local agencies. The banned equipment represented a minuscule portion of equipment already in the hands of police.**

Furthermore, candidate Trump pledged to remove any and all barriers to procurement of federal weaponry by the police. Police forces justify the military level equipment with arguments that range from 'we need it against ISIS' to 'it's cool.' Affirmatives will point out that militarization is counterproductive and trades-off with community policing models. **David A. Sklansky, a Stanford professor of law and a former federal prosecutor points out that the militarization of police changes not only how the public perceives them, but how they perceive themselves. This results in a lack of legitimacy, trust, and an increase in violent encounters between police and citizens.** In 1980, SWAT raids around the country occurred approximately 3,000 times; today there are 80,000 raids per year and nearly 80% of them target private citizen’s homes.

This military mindset is actually a part of the recruitment process. Meaning that young officers are signing on more for a military job than a community policing job.

**Hansford in 2016**

Arthur Rizer of West Virginia University College of Law also highlights the culture of militarization in police recruitment efforts. He writes: **Police recruitment videos far too often show the “use of force” parts of the job—the parts that should be considered a last resort for those rightly termed “peace officers.” A typical video will have adrenaline pumping music playing while clips of SWAT-attired officers firing assault rifles, kicking in doors, and tackling suspects play on screen. The approach reflected in these training materials and accounts of recruitment efforts illustrates the way in which police forces are encouraged to adopt a militarized mindset. Instead of being geared-up for combat, police officers should be encouraged to develop mindsets compatible with the avoidance of violence.**

This has serious consequences that are far reaching;

**Arkansas Law Review in 2015**, (Bethany Peak, Law Clerk to the Honorable Michele D. Hotten, Maryland Court of Special Appeals. “Militarization of School Police: One Route on the School-to-Prison Pipeline” 2015 page http://media.law.uark.edu/arklawreview/2015/05/15/militarization-of-school-police-one-route-on-the-school-to-prison-pipeline/#_ftn1) Furthermore, **military weapons have symbolic value in society.** Recent commentary on this issue defined “symbol” as “a view of cultural reality not immediately apparent but perceptible.” In the context of modern policing, camouflage uniforms, assault rifles, and armored vehicles represent symbolic statements of war. For example, many police departments have acquired surplus military uniforms through the 1033 Program and HSGP. Military-like uniforms serve as a form of symbolic violence which distances community members from police. It also creates a symbolic hierarchy, with police on top and members of the public at the bottom. Some may argue that this hierarchy is necessary, but in reality: **the paramilitary model of policing destroys the very fabric of social life, trust.** These symbols effectively send the intended message—police power and domination—but simultaneously damage the relationship between police and the community. Trust is vitally important. It fosters the cooperation between law enforcement and the community necessary to effectively solve and prevent crime. The impact on the community can be dramatic. When police organizations look and act like soldiers, a military mind set is created that declares war on the American public In this mentality the American streets become the “front,” and American citizens...
exist as “enemy combatants.” Once an organization with a militaristic orientation becomes institutionalized, the
members exist within a culture wherein they believe that they are literally engaged in combat. When the police constitute a
quasi-military warrior class [they act as warriors]. In common with warriors generally, they exhibit bonds of solidarity [that] are fierce and strong. Indeed, [such] human propensities find fullest expression
in having an enemy to hate, fear, and deride and fellow fighters with whom to share the risks and triumphs of violent action. When police organizations train officers to act and think like soldiers they
alienate them from the community which they are supposed to be a part of. Soldiers at war operate under a code of domination, not service.

Thus, all actions (or perceived offenses) by civilians must be handled by domination — by force and control. Stated boldly, no longer do police officers operate as officers of the law; they act as the law itself. Within this mentality laws are applied arbitrarily without the validation of civilian voices and the courts.[82] ***208***

In sum, as local police become more military-like, the more community members resist their presence. With
community resistance, police cannot effectively protect anyone.

Just the presence of weapons has a positive correlation with increased violence,


At the most specific level, these questions haven’t been studied empirically. But a great deal of social-psychological research, as well as important anecdotal evidence from law-enforcement specialists themselves, suggests that militarized policing can greatly inflame situations that might otherwise end peacefully. The so-called “weapons effect” can partly explain what’s going on in Ferguson and elsewhere. The mere presence of weapons, in short, appears to prime more aggressive behavior. This has been shown in a variety of experiments in different lab and real-world settings. “Theory underlying the weapons effect or similar kinds of phenomena would suggest that the more you fill the environment with stimuli that are associated with violence, the more likely violence is to occur,” said Bruce Bartholow, a University of Missouri social psychologist who has studied the weapons effect.

Brad Bushman, a psychologist at Ohio State, agreed. “I would expect a bigger effect if you see military weapons than if you see normal weapons,” he said. This isn’t just about a link between visual stimuli like guns and violence, however. It also has to do with the roles people adopt, with how they respond to the presence of others who may — or may not — mean them harm. To a certain extent, if you dress and treat people like soldiers facing a deadly enemy, they’ll act like it. “This process isn’t necessarily good or bad, but depends on the extent to which the more militaristic role fits the situation,” said Craig Anderson, a psychologist at Iowa State, in an email. “When it doesn’t fit well, it is likely to lead to more judgment and behavior errors.” Maria Haberfeld, a professor at the John Jay College of Criminal Justice who has studied how police departments outfit themselves, said the dynamic could be particularly dangerous in the context of nonviolent protests like Ferguson. “There was rioting and looting earlier this week, but there have also been widespread reports of nonviolent protests being broken up by police aggression.” “Military equipment is used against an enemy,” said Haberfeld. “So if you give the same equipment to local police, by default you create an environment in which the public is perceived as an enemy.”

This “weapons effect” and “creation of an enemy where there is none” are both prime grounds for affirmatives that
want to claim Kritikal affirmative ground, as militarization directly creates a presumed “other.”

**Assistant Professors Eliav Lieblich and Adam Shinar in 2017** (Eliav Lieblich is an associate professor at
Tel-Aviv University’s Faculty of Law. You can follow him on Twitter (@eliavl). Adam Shinar is an assistant professor at the
Radzyner Law School, Interdisciplinary Center Herzliya (IDC). He earned his S.J.D. and LL.M. at Harvard Law School,
where he was also the Clark Byse Fellow. 3-6-2017, “Police Militarization in the Trump Era,” Just Security,
https://www.justsecurity.org/37123/police-militarization-trump-era/)

The double nature of police militarization as preventive and collective closely resembles the presumption of
threat found in the basis of the law of armed conflict: The enemy is presumed threatening and thus targetable.
Furthermore, status-based targeting is based on collective, rather than an individual threat. These presumptions are
channeled to the policed community through the perceptible symbolism of militarization: uniforms,
weapons, and vehicles. This results in the distinction of the policed community as the enemy, which
amounts, as Carl Schmitt famously argued, to de facto exclusion from the body politic. To be sure, it is
not necessary for militarized forces to actually fight the civilian population, like militaries fight. Rather, the
essential effect of the presumption of threat — manifested in militarization — is symbolic or expressive. Actual
combat is not needed: The mere deployment of militarized police carries the symbolic power to exclude the
policed community from the political collective.
In addition, there are also constitutional issues raised by this practice as the constitution clearly delineates that our military forces are not to be a standing active force on US soil.

**Quick overview of other militarization case options**

There are numerous fronts to debate on a militarized policing topic: police forces are acquiring surveillance drones (North Dakota already has weaponized drones for law enforcement), SWAT incursions, federal weapons procurement (specific or general), War Mindset (Critical) such as the War on Drugs or War on Crime. Due to the ever evolving advances in technology, this area is ripe for new ideas. For instance, the Dallas Police Department utilized a bomb disposal robot to carry a bomb close enough to a gunman who had been targeting police in order to kill himxxxviii. As one might expect there are currently no legal regulations prohibiting police from utilizing robots in this manner. And as 3-D printing, drones, and robots become more advanced; one should expect for their involvement in law enforcement to increase.

**Negative Ground:**

There are numerous different methods of winning the negative on a topic of police reform. As is common with topic papers; this section on negative ground is not designed to be an exhaustive list of arguments on the resolution. Instead it seeks to prove that there are unique negative arguments that are worthy of research and of the ballot. I won't go into depth of the obvious generic arguments; as is true with virtually every topic the negative team will still have access to their politics back files, states/local CPs, executive order CPs, federalism DAs, Spending/Funding tradeoffs, and other typical arguments. There are a number of unique negative strategies that can change on a case by case basis. Take the concept of militarization cases. Negative teams can go toe to toe in an impact debate arguing that increased militarization leads to a decrease in crime (jail and deterrence), is necessary to protect lives from terrorism (which snowball to retaliatory measures), and protects the lives of police officers. Teams have the ability to PIC out of one or more specific military devices (weaponless drones for surveillance). Teams can go for stocks arguing that militarization is not the cause for any of the increase in violence or perception, that alternate causes exist for all of the affirmative issues, and that incidences like Ferguson are few and far between. Finally, the negative team will have access to all forms of state based kritiks; negative teams could argue that the plan will be a form of masking for state control (giving back some trivial level of power only to gain trust/legitimacy (a key affirmative advantage).

Brian DeLong, head of the Indiana University debate team, had this comment regarding the potential of a topic based upon police reform:

> The legal challenges in interpreting the 14th amendment, in determining how much leverage congress can include in its block grants (and what that precedent would mean for other US leverage powers), the federal governments lack of data on the subject and the possibility of stripping city and state control of their police forces will generate a “core of the topic” debate that has no end. In the area of racial discrimination, how much can we trust the federal government to “fix” the problem? Is blow back a risk? How much can we trust localities to represent the interests of minorities? Contemporary tension, as is clearly identified in the paper, makes the 1960's feel much closer to today than 50+ years of history may suggest. I predict we will hear disadvantage and advantages that deal with drug enforcement, immigration enforcement, data collection (privacy and cyber security), and more. Federal-local collaboration can spillover to a broad area of law enforcement issues. The more federal “punishment” of localities increases, does this risk collaboration? Is that collaboration good or bad? The debates can be endless.

Some specific arguments

**DAs**

**Recruitment/Retention**

Recruitment and retention of officers is currently at an all time low and continuing to drop,

With the number of applicants down more than 90 percent in some cities, police departments may soon be posting more signs that say “Help Wanted” instead of “Most Wanted.” From the nation’s largest police force in New York City to tiny departments with only five officers, far fewer people are looking to join the force than in years past, and departments of all sizes are being forced to rethink how they fill their ranks. While public safety departments face some of the same problems other employers do with U.S. unemployment at a 30-year low, police recruiters are additionally stymied by the job’s low pay, tarnished image, increasingly tougher standards for new recruits and limited job flexibility. “You don’t move up in a police department the way you would in a dot-com,” admin Chicago Police Department recruiter Patrick Camden. And most importantly, few jobs are more dangerous. “You can get shot at for $40,000, or be home with your family for $60,000,” says Seattle police recruiter Jim Ritter. Trouble From Gotham to Mayberry: Police departments in Los Angeles, New York and Chicago are all working harder at recruitment and drawing fewer applicants. But it is the same story in smaller cities such as Leesburg, Va., where the number of applicants to the police department has dropped 90 percent over the past five years, and Reno, Nev., which reports a decline of 50 percent since 1997. A decade ago, there were 3,000 applicants for 10 openings with the Seattle police, the department says. Now there are 1,000 applicants for 70 positions — a drop of more than 90 percent.

There are a number of links to arguments that result in a hollowing out of the police such as, making the job more difficult, less popular, or perceived as less safe. On militarization a lot of the evidence points to the importance of the “warrior mentality” in recruiting individuals to the job. Cases that eliminate liability restrictions and open up officers to lawsuits or even community criticism could be the last nail in the coffin of police recruiters. And a focus on punishing officers for negative behavior (or even appearing to not “have their backs”) can cause retention as well as result in decreasing the job performance of our officers. “Previous work has suggested that the police organization is considered a difficult work stressor by officers. Of stress factors stemming from the police organization, excessive or unfair discipline rates high among rank and file officers. The police organization may be considered a punishment centered bureaucracy, where emphasis is placed on what by officers. Of stress factors stemming from the police organization, excessive or unfair discipline rates high among rank and file officers. The police organization may be considered a punishment centered bureaucracy, where emphasis is placed on what is wrong and not on proper or laudatory behavior. Although discipline is essential in critical occupations such as police work, it is important that such discipline be properly administered in order to avoid stress and feelings of organizational abandonment.”

For cases that seek to focus on retraining this becomes a massive solvency deficit,

**Police One in 2014 (Joel Shults operates Street Smart Training and is the founder of the National Center for Police Advocacy.. He is retired as Chief of Police in Colorado. Over his 30 year career in uniformed law enforcement and in criminal justice education Joel has served in a variety of roles: academy instructor, police chaplain, deputy coroner, investigator, community relations officer, college professor, and police chief, among others. Shults earned his doctorate in Educational Leadership and Policy Analysis from the University of Central Missouri, with a graduate degree in Public Services Administration and bachelors in Criminal Justice Administration from the University of Missouri, with a graduate degree in Public Services Administration and bachelors in Criminal Justice Administration from the University of Central Missouri. Is America ready for the true cost of police reform? Dec 8, 2014 page [https://www.policeone.com/police-jobs-and-careers/articles/7953294-Is-America-ready-for-the-true-cost-of-police-reform/](https://www.policeone.com/police-jobs-and-careers/articles/7953294-Is-America-ready-for-the-true-cost-of-police-reform/)**

Some people calling for changes in policing probably have a handle on the answers to those questions, but I contend that many do not. [Here are as things that politicians and protesters need to know about what they’d need to do to enable the changes they want in law enforcement.](https://www.policeone.com/police-jobs-and-careers/articles/7953294-Is-America-ready-for-the-true-cost-of-police-reform/) 1. Bring us at least a 25 percent increase in personnel. If you demand more training, we’ll agree. Just remember that for every hour a cop is in a training environment that’s one less officer responding to calls. Either add some badges, or explain to the public why they’ll have to wait for a patrol car to show up. 2. Bring in holistic support for our minds and bodies. The realities of police work are well documented. Cumulative stress — especially with poor community support — will short us all in the wrong places. Keep us strong. That means professional, sustainable mental health initiatives. Don’t make us wait for a crisis to see the chaplain or counselor. 3. Bring us education for the public. Everybody seems to know their rights and not their obligations. The law requires compliance with a lawful command. That’s the very un-mysterious resolution to the vast majority of police use-of-force encounters. 4. Bring us minority applicants that you want to be your police officers. We would love to have a department that represents our community. Work with the children in your community — when they are young — to ensure that when they reach the age at which they may apply to become officers, they meet the criteria. 5. More specifically, they are responsible, obviously, not for intending or consciously encouraging the murder of police, but for creating a climate for police officers that’s even more hostile than that in which officers must spend their days and nights. After all, we don’t need Richard Weaver to inform us that “ideas have consequences.”

**Backlash/Hesitation**

Policies that champion the idea of limiting the capabilities of the police could result in danger to the officers. Frontpage magazine takes it to the furthest point arguing that overblowing the narrative of police brutality has led to the death of officers in the field,

Recently, I claimed that everyone—politicians, academics, and media commentators—who promoted the idea that police brutality is a national “epidemic,” or even a “growing concern,” as one self-styled libertarian put it, share some culpability for the murders of the two NYPD officers who were gunned down in their vehicle right before Christmas. More specifically, they are responsible, obviously, not for intending or consciously encouraging the murder of police, but for creating a climate for police officers that’s even more hostile than that in which officers must spend their days and nights. After all, we don’t need Richard Weaver to inform us that “ideas have consequences.”
In the field, hesitation can cost an officer his life, this is why the courts have long upheld the judgment of an officer in reacting to the situation at hand. “Law professor and former police officer Seth Stoughton explained in the Atlantic last year how this fear of hesitation is embedded in a police officer’s psyche early on in his training, and then over and over again. There are countless variations, but the lessons are the same: Hesitation can be fatal. So officers are trained to shoot before a threat is fully realized, to not wait until the last minute because the last minute may be too late. Negative teams will be able to argue that instead of using a scalpel to remove the worse officers, the aff uses a saw on the patient.

Terrorism

ISIS has shifted its strategy to inspiring lone wolf attacks on soft targets. One only has to look at the restaurants attacked in Paris or the playgrounds in Pakistan to know that a strike can occur anywhere (even in Bowling Green or Sweden). One aspect of recent targets is predictable – they strike where there isn’t law enforcement. Buzzfeed news provides more details explaining that,


> More and more, locations that lack “hard” external security measures — such as guards, gates, visible cameras — are becoming attractive targets. Scott Stewart, a terrorism and security expert for the global intelligence firm Stratfor, told Buzzfeed News. Not only are fortified targets like airports harder to attack, but organized terror groups like al-Qaeda have been under constant disruption, Stewart said. Attacks that require extensive planning, funding, and other resources are less likely to go unnoticed. “They have a much more difficult time for them to get trained terrorists to attack us,” Stewart added. So terror groups like ISIS have shifted tactics, encouraging supporters to attack targets on their own turf with minimal support. “They are going to attack within their means,” Stewart said. This is true for Islamic extremists, who have been increasing their recruitment online, as well as homegrown right-wing extremists, who have been recruiting sympathizers and touting their ideology online for years, he said. With leaderless resistance, it’s hard to figure out who is a potential threat,” Stewart said.

Negative teams will be able to generate links from weakening the police force to weakening the protection of our homeland. From there any negative team is able to connect the dots that a successful terrorist attack on our soil will lead to rights crackdowns/retaliatory (maybe even nuclear) strikes.

Surveillance/Predictive policing

The future of policing involves surveillance. Chicago recently came under fire for combining some community policing methods with algorithmic surveillance. At its most basic level, they were creating ‘heat maps’ of where violence was. The thought process was akin to ones that President Reagan had when introducing the Star Wars program to the American people, ‘wouldn’t we rather save lives than avenge them.’ Science Magazine touches the two sides of the issue of predictive policing,

> That's a strategy worth trying at a time when relations between U.S. police and minorities are at an all-time low, says Pittsburgh Police Chief Cameron McLay, who acknowledges that policing has a long way to go to fix bias. (Last year, McLay showed up at a New Year's Eve celebration holding a sign that read, "I resolve to end racism @ work.) McLay sees the use of big data—combined with more community-focused strategies—as part of a palliative for policing's ills. But civil liberties groups and racial justice organizations are wary. They argue that predictive policing perpetuates racial prejudice in a dangerous new way, by shrouding it in the legitimacy accorded by science. Crime prediction models rely on flawed statistics that reflect the inherent bias in the criminal justice system, they contend—the same type of bias that makes black men more likely to get shot dead by the police than white men. Privacy is another key concern. In Chicago, Illinois, one scientist has helped the police department generate a list of individuals deemed likely to perpetrate or be victims of violent crime in the near future; those people are then told they're considered at risk, even if they have done nothing wrong.

Negative teams will be able to argue that predictive policing as well as other traditional law enforcement surveillance measures (broken windows, drones, etc) will interfere with the implementation of these systems. For instance, community boards are much more likely to prevent an increase of police incursion in anyway that jeopardizes privacy.

Local Political Spillover

Obviously, police reform would generate excellent links to congressional politics DAs. They also hold excellent potential for local political backlash. The Fordham Law Review elaborates,

> One former litigator believed that the DOJ made a tactical choice to not initiate action against the NYPD because of concerns about alienating the agency thereby hampering future efforts to coordinate as part of law
enforcement task forces. As this litigator went on to speculate, federal-state coordination is an increasingly important method for addressing law enforcement issues that traverse jurisdictional borders. And perhaps no local department engages in more federal-state coordination than the NYPD. This suggests that internal politics can also serve as a barrier to DOJ action, in some cases. After all, the DOJ is the ultimate “repeat player.” And as a repeat player in the legal system, the DOJ must be cognizant of how its actions in one arena may affect its future ability to further other, future organizational goals. The result is politics.xliv

With a resolution that focuses on federal action, affirmative teams won’t be able to fiat local action. This means that they can either argue solvency as a plan takeout or a cooperation DA. Since federal/local cooperation is key to solving a wide-host of issues forcing a plan upon them may not be the wisest of choices in the long run.

Teams that specialize in local arguments can ‘fall back’ on solvency arguments, reform efforts that are started oftentimes fall apart in one or two years


Local politics often gets in the way, said Sam Walker, who has written and consulted extensively on police accountability. Half of U.S. mayors serve for two years or fewer; police chiefs three years or fewer. When the new guard comes in, they often dismantle reform programs from the old guard when they are still in their infancy, opting for new ones they can publicly tout as their own. “It’s like Hollywood,” Walker said. “You don’t want to be in the middle of producing a movie when the head of the studio gets fired because the new head won’t want to make it.”xlv

Solvency

There are a number of excellent avenues for solvency arguments. There are a number of alternate causes to the issues that plague our police forces. Structure issues, training, other policies, implicit bias, the difficulty of the job, etc. Affirmatives are going to look for advantages based upon better policing, community trust, decrease in structural/de jure racism. All of these advantages would be able to be taken out by a negative team that is well researched and experienced at debating solvency. Teams could attempt to argue that local police forces will not accept the carrot of the plan (funding for instance) or that they will evade the intent of plan (switching out one practice for another, continuing the practice (as stop and frisk was), etc). Even specific affirmative plans will have some authors that argue against the plan. Most of these plans have been tested or done before on some small level. Community policing for instance, has been tried for 15 years in Chicago; there are advocates for the plan and advocates against (the Cato Institute for instance has a number of arguments about how these boards are ineffectivexlvi). There are also roadblocks to reform arguments including local control arguments as well as agents such as powerful police unions that could prevent or sidetrack any reform.


What role can and should police unions and rank-and-file officers play in driving and shaping police reform? Police unions and their members are often viewed as obstructionist and conservative, not as change agents. But reform efforts are much more likely to succeed when they are supported by the rank-and-file, and line officers have knowledge, skills and insights that can be invaluable in promoting reform.

Such delays have occurred to status quo police reform in Seattle. In a settlement between the US DOJ and the City of Seattle James Robart ruled that the city had to include the union in any reform.

Joscha Legewie, writing for the American Journal of Sociology, however, points out the most challenging solvency issue for affirmative teams. Most of the ‘mistakes’ that police officers make are made in split second decisions. They are not rational choices and therefore are subject to rational thought. In fact, most of it is susceptible to an unsolvable implicit basis that ebbs and flows as events occur,

... an increase in the use of force might not necessarily be based on a conscious or even retaliatory response to the event. Events might also foreground implicit racial stereotypes that portray blacks as violent and increase concerns about personal safety among officers. Racial profiling and the disproportionate use of police force are controversial political issues. I argue that racial bias in the use of force increases after relevant events such as the shooting of a police officer by a black suspect. To examine this argument, I design a quasi experiment using data from 3.9 million time and geocoded pedestrian stops in New York City. The findings show that two fatal shootings of police officers by black suspects increased the use of police force against blacks substantially in the days after the shootings. The use of force against whites and Hispanics, however, remained unchanged, and there is no evidence for an effect of two other police murders by a white and Hispanic suspect. Aside from the importance for the debate on racial profiling and police use of force, this research reveals a general set of processes where events create intergroup conflict, foreground stereotypes, and trigger discriminatory responses. This study examines how acts of extreme violence towards law enforcement affect the subsequent police treatment of residents. Building on conflict and racial threat theories, I argue that racial bias in policing and discrimination more broadly is not static but fluctuates, partly driven by significant events that provoke intergroup conflict and foreground racial stereotypes. Events strengthen cohesion within the police department and invoke the notion of the police versus black youth. Police increase the use of force against minority groups to mitigate (perceived) threat, retaliate against the offending group, and preserve social order. But the increase might not necessarily be based on a conscious response to the event. Events might also foreground implicit racial stereotypes that portray blacks as violent and increase concerns about personal safety among officers. Finally, negative teams will be able to target the involvement of the federal government on a local issue. Frontline magazines subtide provides the context for the argument by claiming that, “Federal interventions at troubled police departments across the country drag on for years and cost hundreds of millions of dollars.” The article studied 16 police departments that had undertaken “forced” reforms by the federal government. According the the Washington Post the results speak for themselves, None of the departments completed reforms by the targeted dates, the review found. In most, the interventions have dragged years beyond original projections, driving up costs. In 13 of the police departments for which budget data was available, costs are expected to surpass $600 million, expenses largely passed on to local taxpayers. Officer morale in some of the departments plummeted during the interventions, according to interviews. Collectively, the departments have cycled through 52 police chiefs as the agencies tried to meet federal demands. Some departments have struggled to sustain reforms once oversight ended, and in some cities, police relations with residents remain strained. Significance/and other Case Debate

There is plenty of literature that the issues that the affirmative team address are insignificant in comparison to the media attention that they receive. Although the impact of police misconduct has a terrible effect on the individual and the local community these incidents are few and far between. For years’ debaters have pointed out that we are more likely to be crushed by a falling TV than to be killed in a terrorist attack. The National Review provides an example for how teams could focus on taking out significance,


Moreover, racial disparities in the use of force are largely explained by racial disparities in criminality. Different American demographics commit crimes at different rates, so it stands to reason that those who commit more crimes will confront the police more often. Yes, there are rogue officers — and those rogue officers should be prosecuted — but the police are still a force for good in our society. In response to the allegations of Black Lives Matter activists, the Washington Post launched an unprecedented, case-by-case study of police shootings. After a year of research, the data are in, and they confirm the conservative position: The police use force mainly to protect human life, the use of force against unarmed suspects is rare, and the use of force against black Americans is largely proportional to their share of the violent crime rate. According the Post, as of December 24, American police had fatally shot 965 people in 2015. (The Guardian, in the midst of its own study, reports a slightly higher number of shootings). 564 of those killed were armed with a gun, 281 were armed with another weapon, and 90 were unarmed. In fully three-quarters of shootings, “police were under attack or defending someone who was.” But what of race? The kinds of shootings that launched the Black Lives Matter movement — white police officers killing unarmed black men — represent “less than 4 percent of fatal police shootings.” The Post does its best to hype the racial injustice of this statistic, proclaiming that while “black men make up only 6 percent of the U.S. population, they account for 40 percent of the unarmed men shot to death by police this year.” But that claim is misleading on a number of counts. Crime doesn’t break down on neat
proportionate demographic lines. Criminals are overwhelmingly male (police killed very few women this year, but no one argues that law enforcement is sexist), and violent criminals are disproportionately black. In fact, blacks “commit homicide at close to eight times the rate of whites and Hispanics combined.” Even worse, “among males between the ages of 14 and 17, the interracial homicide commission gap is nearly tenfold.” In 2014, for example, while black Americans constituted only about 13 percent of the population, they represented a majority of the homicide and robbery arrests. 82 percent of all gun deaths in the black community are from homicide. For whites, 77 percent of gun deaths are suicides.

Furthermore, there are plenty of ‘status quo’ solves arguments to be had. After all, violent crime is at an all time low, President Obama initiated a number of reform measures before he left office, and (as some teams will argue) the media has hyped up individual incidences of police brutality. Reacting to this thru limitations on police action could have negative effects such as an increase in crime. Former FBI director James Comey seemed to suggest that the recent increase in crime is due to police officers being fearful of engaging with suspects for fear of causing a racial incident.

French continues his line of negative argumentation by explaining that most cities don’t experience any racial bias in police shootings,


A recent, widely reported study by Harvard’s Roland G. Fryer found no racial bias in police shootings in ten major U.S. cities: In shootings in these 10 cities involving officers, officers were more likely to fire their weapons without having first been attacked when the suspects were white. Black and white civilians involved in police shootings were equally likely to have been carrying a weapon. Both results undercut the idea of racial bias in police use of lethal force.

CPs

Federal Agent CPs along with a focused localized agent would be core negative ground. I do think that there is a tremendous amount of ground for PIC’s (and therefore the very annoying debates about whether these are legitimate or not). Affirmative teams that do not word their plan text carefully will be at a distinct disadvantage to a prepared negative team. The fact is that federal involvement in the American police force is not typical. Adding an exception to a particular type of weapon or allowing an exception to a form of surveillance/bias/immunity would be likely options against affirmative teams.

Ks

First a comment on Kritical debate. The affirmative team and negative teams both have access to Kritical arguments. And because the heart of the topic is about one of the most important social justice issues of our time, these links are bound to be very strong. Meaning that states that are K heavy will likely skew debate that way. On traditional circuits (like my own in Indiana) there is plenty of case debate to be had. The ability for both sides to access K ground becomes important for when the traditional circuit hits the Kritical circuit. Most traditional teams will incorporate social justice and racial impacts into their argumentation; meaning that it won’t be as difficult to perm or adapt to kritical ideas when they run into teams or judges that prefer that style of debate.

As far as specific K’s on the topic, the resolution will likely serve to limit the state, but negative teams can easily argue that the plan is just a form of masking state power. The Atlantic’s Ta-Neheisi Coates is a mainstream African-American author who makes a masking claim,

Thus it was not surprising, last week, to see that the mayor of North Charleston ordered the use of body cameras for all officers. Body cameras are the least divisive and least invasive step toward reforming the practices of the men and women we permit to kill in our names. Body cameras are helpful in police work, but they are also helpful in avoiding a deeper conversation over what it means to keep whole swathes of America under the power of the justice system, as opposed to the authority of other branches of civil society. Police officers fight crime. Police officers are neither case-workers, nor teachers, nor mental-health professionals, nor drug counselors. One of the great hallmarks of the past forty years of American domestic policy is a broad disinterest in that difference. The problem of restoring police authority is not really a problem of police authority, but a problem of democratic authority. It is what happens when you decide to solve all your problems with a hammer. To ask, at this late date, why the police seem to have lost their minds is to ask why our hammers are so bad at installing air-conditioners. More it is to ignore the state of the house all around us.
Kritical leaning teams will also be able to look at links from increasing community trust/police legitimacy to justification for the incarceral state. Foucault, Agamben, Wilderson, capitalism, and neo-lib arguments are all foreseeable options for the negative team. I will include two cards that give a small window into the Kritical aspects of a topic centered around police reform.

The origin of policing involved the control of the other

As FBI Director James Comey stated, “At many points in American history, law enforcement enforced the status quo, a status quo that was often brutally unfair to disfavored groups.” This will require recognition of the origins of policing; acknowledgement of the continued disproportionate impact and overly aggressive policing in communities of color; and adoption of a progressive, forward-looking framework for what all Americans want to see in their local law enforcement agencies...

-Policing in America originated in colonial times and featured two primary modes—centralized municipal policing and slave patrols. The first, which provided the framework for modern-day law enforcement, began in 1838 in Boston, Massachusetts, as a response to increased public intoxication, gambling, and population growth. Slave patrols on the other hand, originating in South Carolina in the early 1700s, served the primary functions of apprehending escaped slaves and instilling fear to deter revolts and maintain discipline. Slave patrols and centralized municipal policing were both known for their brutality and ruthlessness. Over time and with the eventual passage of constitutional amendments outlawing slavery, slave patrols were officially disbanded. However, unofficially, remnants of slave patrols and their mandate remained very much in place. Much of the intimidation, violence, and murders of newly freed slaves and later their descendants continued unabated for decades, carried out by groups such as the Ku Klux Klan, which rarely faced punishment from local police departments. According to a 2006 FBI Threat Assessment Report, “the Ku Klux Klan is notable among white supremacist groups for historically having found support in many communities, which often translated into ties to local law enforcement.”

And simplistic policies that don’t break down the causes of police violence only reinforce neoliberalism and produces more violence in its name
ALYCEE LANE, counterpunch JULY 21, 2016 “Violence, Death and Our Neoliberal Police”

If what we are witnessing in these violent encounters with police is neoliberalism in action, then we have to come up with an entirely different set of solutions to change policing. This is not to dismiss body cameras and training, which will no doubt save some lives. But they are technical fixes that do not address at all the neoliberal character of our law enforcement. The transformation of peace officers into neoliberal police, the policies that align policing with corporate power, and the violence that neoliberalism produces. In fact, these fixes amount to our use of the master’s tools to dismantle the master’s house. After all, through neoliberal policies governments regularly take “outside of the realm of the political” the myriad problems that communities face and then render these problems “technical and actionable,” as Lester Spence has observed. So when we offer solutions like body cameras, we make fixing the police a technical matter rather than a political matter, and in so doing we legitimize and further entrenched neoliberal policies and practices that enact invisible, spectacular, and ultimately normalized violence on those who don’t fit the mold.

The consequence is that we’ll continue to receive tweets and Facebook feeds of police killings, that we’ll also see more retaliatory killings of police officers – the killings that occurred recently in Dallas and Baton Rouge – as more people realize that neoliberal policing, and the violence it enacts, is exactly the kind of policing our governments intend. Such counter-violence, however, is extraordinarily rare, for individuals who engage in retaliatory killings – individuals who are, and will likely continue to be, primarily men – ultimately express just how deeply they have internalized the ideals that constitute the Virtuous Neoliberal Citizen: self-reliance or rugged individualism, personal responsibility, distrust of government, efficiency, cruelty. With an Izhmash-Saiga 5.45 mm rifle or some other AK-style weapon in tow, they alone will fix the problem of police violence, and in so doing, they will precisely, and finally, fit the neoliberal model. Reparign the police and our system of policing, then, clearly demands that we end not only neoliberal policing, but also the transformation of men and women into neoliberal police. To do this, we must relentlessly break down these moments of violence between officers and the community in order to unearth the neoliberal politics they express and enact, and that our government officials (local, state, national) continue to impose upon us at our expense (and for the benefit of the wealthy), but most especially at the expense of our abandoned, displaced children, women and men. It is through this kind of work, in fact, that we can begin to upend an order that neoliberal proponents present as the only alternative and that appears all-powerful and all-encompassing. By doing this work, we’ll discover just how much neoliberalism and the violence it produces is, as Ok剌ha makes clear, a “specific, rationally reflected and coordinated way of governing” – including the hiring, oversight, and training of police – that we absolutely have the power to change.
But all teams can argue that they are trying behaving in a Kritical manner when it comes to speaking out against unjustified police violence,

The periodic reports of police abuses fail to move the nation into action because far too many Americans refuse to act against the racism that still exists in this country. We are, as a nation, numbed by racism to the point of shoulder-shrugging inaction. Hence, only the most outraged or radical Americans risk stepping out of the comfort zones of their relatively privileged experiences to help someone whose reality is very different from their own. This numbness is the escape hatch that allows political leaders, policymakers, and voting citizens to turn away from the invisible—yet institutional—racism that is a way of life for those who live in distressed communities. The endless cycle of racist police behavior, and official reports examining that behavior will only end when average citizens respond with alarm rather than apathy and demand accountability from the police.

Pertinent Definitions:

Police, Local Law Enforcement, and other options

One of the keys to figuring out the appropriate depth vs breadth of the topic is figuring out which agencies the reform should occur for. Non-federal law enforcement agencies include two unique terms: local law enforcement and state police.

Go Law Enforcement explains the differences in the plainest possible manner

Types of Law Enforcement Agencies. There are basically three types of law enforcement agencies, local, state, and federal. Local law enforcement agencies include police and sheriff departments. State agencies include the state or highway patrol. Federal agencies include the FBI and the U.S. Secret Service. There are agencies whose mission is to provide a law enforcement function and there are also agencies who have a law enforcement department or component within a larger agency.

Throughout the literature there is a clear distinction between the term “local law enforcement” and “state law enforcement.” State law enforcement includes a substantial amount of options beyond just the highway patrol. Some other state agencies include the excise police, capital police, and the state police.

Federal laws such as the Local Law Enforcement Hate Crimes Prevention Act of 2009 clearly shows that there is a distinct difference in the terms state and local law enforcement.

Support for criminal investigations and prosecutions by State, local, and Tribal law enforcement officials (a) Assistance other than financial assistance (1) In general At the request of a State, local, or tribal law enforcement agency, the Attorney General may provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that— (A) constitutes a crime of violence; (B) constitutes a felony under the State, local, or tribal laws; and (C) is motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim, or is a violation of the State, local, or tribal hate crime laws.

Inclusion of federal law enforcement agencies would massively broaden the topic and take the topic into a number of new affirmative possibilities (DEA, ICE, FBI, CIA, etc). Furthermore, federal search and seizure limitations were recently debated in 2005.

Dictionary.com also shows us that the term “police” may be way too broad for inclusion in the resolution

noun

1. Also called police force. an organized civil force for maintaining order, preventing and detecting crime, and enforcing the laws.
2. (used with a plural verb) members of such a force: Several police are patrolling the neighborhood.
3. the regulation and control of a community, especially for the maintenance of public order, safety, health, morals, etc.
4. the department of the government concerned with this, especially with the maintenance of order.
5. any body of people officially maintained or employed to keep order, enforce regulations, etc.
6. people who seek to regulate a specified activity, practice, etc.: the language police.
7. Military.
   a. the cleaning and keeping clean of a camp, post, station, etc.
   b. the condition of a camp, post, station, etc., with reference to cleanliness.

President Obama’s Task Force for 21st Century Policing predominantly utilizes the word “local law enforcement” as the precision term for the resolution.

**Police Misconduct**

USlegal.com offers a nice laundry list for understanding what a term like “police misconduct” would mean for the debate,

Police misconduct means the improper actions taken by police officers in relation with their official duties. Police misconduct often results in miscarriage of justice and discrimination. Police misconduct includes deliberately obtaining false confessions; false arrest; creation and use of falsified evidence, including false testimony; false imprisonment; intimidation; police brutality; police corruption; political repression; racial profiling; sexual abuse; and surveillance abuse. Police drug use is also an emerging form of police misconduct.

And legaldictionary.net gives a more generalized idea of the term, “Improper or illegal behavior engaged in by a police officer while attempting to administer justice.” One nice aspect of utilizing this term is that it is readily available in the field of literature.

**Reform**

Merriam Webster provides a reasonable definition of reform

Definition of reform

transitive verb

1a : to put or change into an improved form or condition b : to amend or improve by change of form or removal of faults or abuses
2: to put an end to (an evil) by enforcing or introducing a better method or course of action
3: to induce or cause to abandon evil ways reform a drunkard
4a : to subject (hydrocarbons) to cracking b: to produce (gasoline, gas, etc.) by cracking

When placed into the context of “police reform” it is possible to get an extremely strong “case list.” Other options could be restructuring, restriction. But even some definitions of police reform broaden the topic,

The American Constitution Society for Law and Policy, Police Reform: A Job Half Done by Richard Jerome,

**Police reform has three interrelated components**, each of which must be sustained. **The first is police accountability and integrity** – reducing misconduct and improving police professionalism. This requires progressive policies and practices within the law enforcement agency, such as new policies on police use of force, tracking and investigations of use of force incidents, and improvements in police training, hiring and supervision. There also have been significant changes in police equipment in the past decade, including in-car cameras and new less-lethal weapons, such as Tasers and chemical sprays (oleoresin capsicum/OC or pepper spray). Police accountability also requires internal systems for holding officers accountable when they engage in misconduct, including better systems for investigating citizen complaints, and risk management systems for identifying officers who have engaged in “at risk” behavior. For accountability to take hold, these police “best practices” need to be adopted by the agency, reviewed by appropriate oversight entities, and embraced by both police leaders and the political leadership of the jurisdiction. Where these elements are not evident, that is where the need for federal enforcement is greatest. **Second, police departments and local government need much greater efforts at community engagement and dialogue, especially in the area of race and policing**. This includes addressing racial profiling and police bias. Perceptions of police bias are still strong in minority communities, and officers need to know that racial profiling is not an effective law enforcement tool. But dealing with race and policing means more than just disciplining officers who engage in intentional discrimination. Police departments must also examine how their police strategies in minority neighborhoods affect law abiding residents. For example, urban neighborhoods with higher crime rates are often predominantly minority. That can mean that black and Hispanic residents experience a different policing than white residents, especially if officers are told to engage in “aggressive policing” in high crime neighborhoods; those residents will see more invasive traffic stops and individuals being stopped and parted down on the street corner. This in turn will impact their views of the police and their willingness to partner with the police. **This leads to a third element of police reform: police management and the development of policing strategies - in crime prevention, the use and deployment of police resources, and police training - that puts policing squarely in its central role in our democratic society.** The right police strategy is the one that is effective in reducing crime and fear of crime, and that reduces perceptions of police unfairness and bias. Federal dollars and research should be focused on new initiatives of community policing and problem-oriented policing.
Traditional policing is reactive – officers are dispatched to locations on radio runs, mostly in response to calls for service. Between these runs, officers conduct random patrols in their cars.

And there are plenty of “laundry list” definitions that are ideal for figuring out ground. For instance, the National Urban League released a 10-point justice plan that provides a solid case list.

10-POINT JUSTICE PLAN: National Urban League Police Reform and Accountability Recommendations

1. Widespread Use of Body Cameras and Dashboard Cameras
2. Broken Windows Reform and Implementation of 21st Century Community Policing Model
3. Review and Revision of Police Use of Deadly Force Policies
4. Comprehensive Retraining of All Police Officers
5. Comprehensive Review and Strengthening of Police Hiring Standards
6. Appointment of Special Prosecutors to Investigate Police Misconduct
7. Mandatory, Uniform FBI Reporting and Audit of Lethal Force Incidents Involving All Law Enforcement
8. Creation and Audit of National Database of Citizen Complaints against Police
9. Revision of National Police Accreditation System for Mandatory Use by Law Enforcement To Be Eligible for Federal Funds
10. National Comprehensive Anti-Racial Profiling Law

**Limits, Limitations, and/or reduce**

I think that it is important for the affirmative team to limit or reduce police activities that are viewed as negative (militarization, racial profiling, etc). Limitations is one of the words that I would consider appropriate (with a modifier such as substantially or significantly). Cambridge Dictionaries discusses limitation as “the act of controlling and especially reducing something,” The Oxford dictionary comes to a similar conclusion, stating that limitation is “A limiting rule or circumstance; a restriction.” Dictionary.com provides a reasonable definition of the verb limit.

“verb (used with object)
7. to restrict by or as if by establishing limits (usually followed by to):
   Please limit answers to 25 words.
8. to confine or keep within limits:
   to limit expenditures.
9. Law. to fix or assign definitely or specifically.

The 9th definition of limit could cause some strange affirmatives to potentially be run. Reduce is a word that ought to be considered; reduce, however, has significant more variations for its meaning. Therefore, I believe that limitations is a more precise term for the resolution’s main verb.
Possible Resolutions:

1. The USFG should enact federal regulations to substantially reform local law enforcement misconduct in the United States.
2. The United States Federal Government should implement substantial limitations on the either the use of force and/or weaponry allowed by local law enforcement agencies.
3. The United States Federal Government should implement substantial reform of domestic law enforcement agencies in one or more of the following areas: race relations, militarization, and/or the use of force.
4. The United States Federal Government should substantially limit the power of non-federal police in one or more of the following areas: use of force, militarization, and/or profiling.
5. The USFG should substantially increase federal restrictions to reduce police misconduct on local law enforcement in the United States.

Availability of Literature on the topic:

There is plenty of literature on the topic owing to the timeliness and interest in this subject. The vast majority of think tanks either have articles or a section devoted to crime and justice. For instance, the following think tanks have a section devoted to at least part of the resolution’s main subject: Aspen Institute, Brookings Institute, Cato Institute, Center for American Progress, Heartland Institute, Heritage Foundation, Hudson Institute, Human Rights Watch, Independent Institute, Manhattan Institute, Rand Corporation, Urban Institute. As you can see from the list, the interest (and research) in the topic area is bipartisan. Individual case areas return a wide variety of legitimate news articles.

A simple search through Amazon books comes up with the following books all from 2016 or 2017:

- Black and Blue: Inside the divide between the Police and Black America by Jeff Pegues
- Chokehold: Policing Black Men by Paul Butler
- Cop Under fire: Moving beyond Hastags of Race, Crime, and Politics for a better America by Sherriff David Clarke Jr and Nancy French
- Federal Reports on Police Killings: Ferguson, Cleveland, and Baltimore by the DOJ
- How everything became war and the military became everything: Tales from the Pentagon by Rosa Brooks
- Invisible No More: Police Violence against black women and women of color by Andrea Ritchie and Angela Davis
- Lethal Force: the true toll of Police Shootings in America by the Washington post and fleet cooper
- Locking up our own: Crime and Punishment in Black America by James Forman Jr.
- Mirage of Police Reform: Procedural Justice and Police Legitimacy by Professor Robert Worden and Sarah McLean
- Nobody: Casualties of America’s war on the vulnerable from Ferguson to Flint and Beyond by Marc Lamont hill and Todd Brewster
- Police Brutality, Racial Profiling, and Discrimination in the Criminal Justice System by Stephen Egharevba
- Police Power and Race Riots: Urban unrest in Paris and New York by Cathy Lisa Schneider
- Police Reform in the 21st Century by Barry Loveday
- Policing and Race (new directions in Critical Criminology by Jason Williams
- Policing the black man: Arrest, Prosecution, and Imprisonment by Angela Davis
- Race and Representative Bureaucracy in American Policing by Brandy Kennedy and Adam Butz
- The End of Policing by Alex Vitale
- The War on Cops: How the new attack on law and order makes everyone less safe by Heather Mac Donald and Pam Ward
- They can’t kill us all: Ferguson, Baltimore, and a New Era in America’s Racial Justice Movement by Wesley Lowery
- To Protect and Serve: How to Fix America’s Police by Norm Stamper
- Twentieth-Century Influences on Twenty-First-Century policing: Continued Lessons of Police Reform by Jonathon Cooper
- Where’s the EQ?: Race and policing up close by Bernard Ferguson

**Conclusion:**

The process of creating this topic paper has only reinforced my desire to debate a resolution centered around a concept of police reform. I believe that both militarization and race relations provide fertile ground for effective debate. Likewise, I believe that the resolution should allow students from all regions to debate in a style that is conducive to their local circuit. While I am sure that many debaters will try to take the issue to standard policy debates over politics and nuclear war, there are fundamental issues that a police reform topic would address that our debaters might never learn about through other topics. Our debaters have proven themselves capable of discussing difficult racial issues; I feel like it is time for them to have an in depth year long debate on what was easily the story of 2016. This topic area involves debate on subjects that the students will find not only educational, but interesting as well. These include, but are not limited to, race relations, profiling, crime, terrorism, militarization, and justice. It is clear that there is a problem, but the options for solutions to these problems are all up for debate.


iii  Bryan Schatz, Reporter, “This New Film Shows Just How Far Police Militarization has Gone,” Mother Jones, October 27, 2016 page http://www.motherjones.com/politics/2016/10/do-not-resist-police-militarization-documentary


vi  Cole in 16

vii  ibid


xviii Jay Stanley, Staff, “Police Body-Mounted Cameras: With Right Policies in Place, a Win for All,” American Civil Liberties Union, March 2015 page https://www.aclu.org/other/police-body-mounted-cameras-right-policies-place-win-all


xvii ibid


xxix ibid

xxx D’Onofrio in 2015


xxxiii ibid

xxxiv Eyder Peralta and David Eads, Staff, “White House Ban on Militarized Gear For Police May Mean Little” NPR, May 21, 2015 page http://www.npr.org/sections/thetwo-way/2015/05/21/407958035/white-house-ban-on-militarized-gear-for-police-may-mean-little

xxxv Eliav Lieblich, Associate Professor at Tel-Aviv Universities Faculty of Law and Adam Shinar, Assistant Professor at the Radzyner Law School, “Police Militarization in the Trump Era,” Just Security February 1, 2017 page https://www.justsecurity.org/37125/police-militarization-trump-era/


xlv Rushin in 2014


